

**MINUTES
FREMONT CITY COUNCIL REGULAR MEETING
APRIL 14, 2009
FREMONT CITY HALL
7:00 P.M.**

1. PRELIMINARY

1.1 Call to Order: Mayor Wasserman called the meeting to order.

1.2 Flag Salute: Councilmember Wieckowski led the salute to the flag.

1.3 Roll Call: Present: Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison, and Chan.

1.4 Announcements by Mayor/City Manager

2. CONSENT CALENDAR

- * **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Vice Mayor Natarajan, seconded by Councilmember Wieckowski, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	None

- * **2.2 Approval of Minutes – None.**

- * **2.3 Mayor Wasserman opened consideration of the Adoption of Resolutions Ordering the Preparation and Filing of the Annual Engineer's Report for Landscaping Maintenance Assessment District 88; Approving the Report and Stating the City Council's Intention to Levy Assessments for District 88 for Fiscal Year 2009/10**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Wieckowski, the City Council:

1. Adopted Resolution 2009-19 Ordering the Preparation and Filing of the Annual Engineer's Report for Landscaping Assessment District 88 for Fiscal Year 2009/10.
2. Adopted Resolution 2009-20 Stating the Intent of the City Council of the City of Fremont to Levy and Collect Assessments for Fremont Landscaping Assessment District 88 for Fiscal Year 2009/10.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

*** 2.4 Mayor Wasserman opened consideration of the Award of Contracts for On-Call Geotechnical Peer Review Services to Cotton, Shires & Associates, Inc., and Pacific Geotechnical Engineering**

On a motion by Vice Mayor Natarajan, seconded by Councilmember Wieckowski, the City Council:

1. Authorized the City Manager or his designee to execute Master Service Agreements with Cotton, Shires & Associates, Inc., and Pacific Geotechnical Engineering for on-call geotechnical peer review services in an amount not to exceed \$300,000 for three years.
2. Authorized the City Manager or his designee to exercise the option to renew each agreement, at an appropriate time, for up to two additional one-year terms with an amount not-to-exceed \$100,000 per one-year term, provided the City Manager or his designee determines that the consultant has been responsive to the City's needs and the quality of work has been satisfactory.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,
Councilmembers: Wieckowski, Harrison and Chan
Noes: None
Absent: None
Abstain: None

3. CEREMONIAL ITEMS

3.1 Proclamation: Earth Day, April 22, 2009

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications

Roger Shanks provided an update on the Thornton Avenue project. Juanita King (Besaro Mobile Home Park) and Bill Wahl requested financial assistance to help offset legal defense costs associated with opposing a rent increase for Besaro residents. David Lau expressed support for SB 55. Jeff Wald encouraged citizen participation in the community.

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY

6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action – None.

7. OTHER BUSINESS

7.1 Mayor Wasserman opened consideration of the Authorization to Proceed with Establishing a Railroad Quiet Zone at the Walnut Avenue Crossing

Transportation and Operations Director Jim Pierson reviewed Council's prior direction for establishing quiet zones and presented staff's recommendation for developing a third quiet zone at the Walnut Avenue crossing. Senior Transportation Engineer David Huynh provided a status update on the project. Staff responded to questions from Councilmembers.

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council:

1. Authorized staff to include the Walnut Avenue crossing into the process to establish quiet zones at the Stevenson Boulevard crossing and the Nursery Avenue crossing, following the requirements as established in 49 CFR Parts 222 and 229, Use of Locomotive Horns at Highway-Rail Grade Crossings.
2. Transferred \$149,000 from 6091612 6431 (Risk Management General Liability fund) and appropriated to 501 PWC 8604 (Quiet Zone Study).

Ayes:	Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	None

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals – None.

8.2 Oral Reports on Meetings and Events – None.

9. ADJOURNMENT: There being no further business, Mayor Wasserman adjourned the meeting at 7:35 p.m.

Attest:

Approved:

Dawn G. Abrahamson, City Clerk

BOB WASSERMAN, Mayor